

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MASOOD HYDER, as Administrator of
the Estate of MOHAMED HYDER, Deceased,

Plaintiff,

- against-

STEVE J. KURUVILLA, M.D., ANDREW
FRANCIS, M.D., STONY BROOK
PSYCHIATRIC ASSOC., "EDMUND
MURPHY, R.N." (*identified as person
signing "Final Progress Note/Discharge
Orders" and "Individual Discharge Order Plan"
in Stony Brook Univ. Hosp. medical records
on 12/21/07, and "JANE DOE, L.C.S.W."
(name fictitious, full identity currently
unknown, identified only as mental health
care professional signing "Social Work
Progress Note" in Stony Brook Univ.
Hosp. medical records on 12/21/07,
at 17:30),*

Defendants.

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S I R S :

PLEASE TAKE NOTICE, that the defendants, ANDREW FRANCIS, M.D. and
"STONY BROOK PSYCHIATRIC ASSOCIATES, U.F.P.C., s/h/a STONY BROOK
PSYCHIATRIC ASSOC.", hereby demand that you furnish the undersigned attorney for the
aforesaid defendants within twenty (20) days of service of this Notice:

1. **STATEMENTS**: Copies of all written or verbal statements, whether signed or
otherwise, including but not limited to audio and/or video tape recordings of the defendants, the
agents, servants or employees of the defendants, or a notice or letter stating that you have no such
statements.

**COMBINED
DEMANDS**

Docket No.: 08 CIV 6446

Judge Robinson

2. **REPORTS AND AUTHORIZATIONS:** Copies of all existing and future reports of all physicians who have treated or examined the plaintiff in connection with the injuries for which recovery is sought; duly executed and acknowledged authorizations permitting the defendants to obtain and copy all hospital records, x-ray reports, physicians' records, radiological films and all other records referred to in any physicians' report.

All authorizations for the release of medical records must be in the proper format, in full compliance with the requirements of the Health Insurance Portability and Accountability Act (HIPAA) and contain the following statement: "this authorization will remain in effect up to the conclusion of my court case."

3. **PHOTOGRAPHS.** The defendant demands copies of all photographs, videotapes, drawings, of the plaintiff's injuries which plaintiff intends to show to the jury.

FAILURE TO PRODUCE THESE EXHIBITS WILL RESULT IN A PRECLUSION MOTION AT THE TIME OF TRIAL.

4. Copies of all insurance documents including insurance policies, employment benefits books and memoranda in your possession or in the possession of your clients concerning the costs of medical care, custodial care, or rehabilitation services, loss of earnings or other economic loss which was replaced or indemnified, in whole or in part, from any collateral source such as insurance, Social Security (except those benefits provided under Title XVIII of the Social Security Act), Workers Compensation or employee benefit programs, except such collateral sources entitled by law to liens against recovery of the plaintiff(s).

UPON YOUR FAILURE TO COMPLY, the defendants shall rely on all sanctions provided by law and/or a Motion shall be made to the above Court for an Order directing compliance plus costs of this Motion.

Dated: Melville, New York
August 27, 2008

LEWIS JOHS AVALONE AVILES, LLP
Attorneys for Defendants
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By: 
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